

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE ADELPHIA COMMUNICATIONS :
CORPORATION SECURITIES AND :
DERIVATIVE LITIGATION :
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03 MDL 1529 (LMM) ←

MEMORANDUM AND ORDER

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This document relates to: :
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NEW YORK CITY EMPLOYEES' RETIREMENT:
SYSTEM, ET AL. (03-CV-5789) :

- and - :

DIVISION OF INVESTMENT OF THE NEW :
JERSEY DEPARTMENT OF THE TREASURY :
(03-CV-2824) :
:
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McKENNA, D.J.,

Plaintiffs' move, pursuant to Fed. R. Civ. P. 56, for partial summary judgment, on the basis of collateral estoppel, of the liability of defendants John J. Rigas and Timothy Rigas.¹

The motion is granted for the reasons set forth in plaintiffs' Memorandum of Law of the NYC and New Jersey Funds in Support of Their Motion for Partial Summary Judgment Based on the Rigases' Criminal Convictions (Nov. 3, 2004) and plaintiffs' Reply Memorandum of Law of the NYC Funds and the New Jersey Funds in

¹ Familiarity with the underlying facts and all other decisions in this multidistrict litigation is assumed.

A copy of this Memorandum and Order is being sent to counsel for plaintiffs, who are to distribute copies to all other opposing counsel.

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Further Support of Their Motion for Partial Summary Judgment Based
on the Rigases' Criminal Convictions (Sept. 15, 2005).

SO ORDERED.

Dated: September 14, 2012

A handwritten signature in black ink, appearing to read 'L. McKenna', is written over a horizontal line.

Lawrence M. McKenna
U.S.D.J.